



## **Procedure: Services for Persons with Limited English Proficiency (LEP)**

Functional Area: XI Civil Rights

Section: B 2c

Citation: 246.8 (c)

Approval Date: 6/2015

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<b>Purpose</b>	To ensure that non-English speaking or limited-English speaking persons understand WIC program services and are not discriminated against because they do not speak and/or read English.
<b>Policy</b>	When a significant proportion of the population of the area served by a local agency/clinic is composed of non-English or limited-English speaking persons who speak the same language, the local agency shall ensure that required WIC services are provided to such persons in the appropriate language orally and/or in writing.
<b>Reasonable Steps for Meaningful Access</b>	<p>Local agencies must take reasonable steps to ensure meaningful access to the services and information they provide based on:</p> <ol style="list-style-type: none"><li>1. The number or proportion of LEP persons served or encountered in the eligible population.<ul style="list-style-type: none"><li>o Usually defined as 10% of the eligible population or 100 clients, whichever is less</li></ul></li><li>2. The frequency with which LEP individuals come in contact with the program.</li><li>3. The resources available to the local agency and costs.</li></ol>
<b>Local Agency Plan for Services</b>	<p>Local agencies must have a plan in place to communicate and provide services in the languages spoken in the service area. This plan should include items such as:</p> <ol style="list-style-type: none"><li>a. Use of bilingual staff</li><li>b. Using Interpreter Services</li><li>c. Translation of documents, forms, outreach materials, and notices</li><li>d. Use of technology and internet based tools</li><li>e. Training of staff in the use of the resources available to serve LEP individuals</li></ol>
<b>Use of Bilingual Staff</b>	<p>Staffing of bilingual employees should be adequate based on the percentage of LEP clients.</p> <p>Language proficiency of bilingual employees should be sufficient to effectively communicate with LEP clients.</p>

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**Use of Bilingual Staff  
(cont.)**

When bilingual staff is not available within the WIC clinic, other bilingual employees from other areas of the local agency may be used or staff may contact by telephone bilingual WIC staff in another WIC clinic within the local agency.

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**Provision of  
Interpreters**

WIC applicants or clients shall not be denied WIC services or benefits because they did not bring an interpreter to their appointment. It is the responsibility of WIC clinics to provide interpreters for WIC appointments.

Applicants and clients must be informed of the right to request an interpreter at no charge to them. A family member or friend is not considered an acceptable interpreter unless the applicant/client specifically requests that person be allowed to interpret.

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**Interpreting Services**

This may include:

- in-person interpreters using a paid contract service
- telephone interpreting services
- voluntary community interpreter services using a formal arrangement between WIC and the community services

Interpreters must be professionals under contract to provide interpreting services to protect client confidentiality.

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**Use of Other Persons to  
Interpret**

Local clinics **cannot** require applicants or clients to provide their own interpreters. IF the client chooses to bring a family member or friend to interpret this may be allowed as long as the person is over the age of 16.

Use of another WIC participant, a volunteer or any other non-professional as an interpreter is **not** permitted due to confidentiality issues, unless this is requested by the client.

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**Translation of Materials**

All materials used by the local agency with WIC clients should be translated into the appropriate language used by a group of clients where it has been determined a significant number speak a language other than English.

This materials include:

- Signs and bulletin boards
  - Printed education materials
  - Audio visual materials
  - Web based information
  - Written or verbal notices of appointments
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**Documentation of Language Spoken**

Record the client's preferred spoken language in the computer system in the Language Field.

All commonly spoken languages in Nebraska are listed as a drop down menu. If additional language options need to be added to the drop down list contact the State WIC Office.

Unless the client proficient in English, staff should select the native or preferred language of the client to help with statistical reporting of languages spoken in the service area and planning for interpreter needs.

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**Scheduling LEP Persons at Clinics**

Serving different language groups on different days based on convenience or interpreter availability could be misconstrued as "segregation and discrimination" on the basis of national origin. When services are provided in different languages on certain days and times, attendance at these language specific sessions must be optional. Appointment slots must remain open for anyone. Avoid using terms such as "Spanish Day."

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**Outreach**

In areas where a substantial number of persons have Limited English Proficiency, local agencies must carry out outreach activities to ensure that eligible members of such populations participate in WIC. Contact should be made with other agencies and community organizations serving LEP persons.

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